

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

Elijah Deandre Kennedy

Case No. 23-774-m

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 29 -- April 6, 2023 in the county of Bucks in the
Eastern District of Pennsylvania, the defendant(s) violated:

*Code Section**Offense Description*

18 USC 1201(a)

Kidnapping

18 USC 2423(a)

Transportation of a minor to engage in criminal sexual activity

18 USC 2251(a), 2

Manufacture and willfully causing the manufacture of child pornography, and attempt

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet./s/ Jennifer Zenszer*Complainant's signature*Jennifer Zenszer, FBI Special Agent*Printed name and title*

Sworn to before me and signed in my presence.

Date: April 17, 2023/s/ Honorable Craig M. Straw*Judge's signature*City and state: Philadelphia, PennsylvaniaHonorable Craig M. Straw, USMJ*Printed name and title*

AFFIDAVIT

I, Jennifer Zenszer, a Special Agent with the Federal Bureau of Investigation (FBI), Philadelphia Division, being duly sworn, depose and state as follows:

1. I have been a Special Agent with the Federal Bureau of Investigation for approximately 19 years. I am currently assigned to the FBI's Philadelphia Field Division. In my experience as a Special Agent, I have conducted numerous investigations involving financial frauds, money laundering, and the sexual exploitation of children.

2. This affidavit is made in support of a criminal complaint charging ELLIJAH DEANDRE KENNEDY, DOB: 12/xx/1994, with kidnapping, in violation of 18 U.S.C. § 1201(a), transportation of a minor to engage in criminal sexual activity, in violation of 18 U.S.C. § 2423(a), and manufacture, attempted manufacture, and willfully causing the manufacture of child pornography, in violation of 18 U.S.C. §§ 2251(a) and 2, as outlined below.

3. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

4. The statements in this Affidavit are based on my investigation and other law enforcement officers' investigation of this matter. Because this Affidavit is being submitted for the limited purpose of demonstrating probable cause in support of the attached criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause for the arrest of ELLIJAH DEANDRE KENNEDY.

BACKGROUND OF THE INVESTIGATION

5. On Wednesday, March 29, 2023, a 15-year-old female, whose identity is known to Your Affiant, hereinafter “Minor 1,” went missing in Thomasville, North Carolina. At the time, Minor 1 was wearing a white hooded sweatshirt and ripped jeans, pink glasses and carrying a big red duffle bag and a pink backpack. A blue Mitsubishi Outlander was seen in the vicinity of Minor 1’s home.

6. Law enforcement interviewed Minor 1’s parents, who stated that the only electronic device they believed Minor 1 had utilized for the past several months was a school-issued laptop. The investigation conducted by FBI Charlotte and the Davidson County Sheriff’s Office revealed that Minor 1 had been communicating with individuals in chat rooms from her school computer utilizing a website called element.io.¹

7. On Wednesday, April 5, 2023, the Davidson County Sheriff’s Office received a tip reporting that Minor 1 was seen on the Internet-based social media platform Omegle² with an unknown male. The tipster told law enforcement that he/she encountered Minor 1 and an unidentified male who were livestreaming on Omegle. According to the tipster, Minor 1 provided her true first name during the livestream and started to explain what happened to her. Minor 1 also provided the TikTok account for the unknown male with her in the livestream as @heyellijah. The tipster then conducted a google search and found the Davidson County Sheriff’s missing persons flyer for Minor 1. The tipster also verified the existence of the TikTok

¹ Element, or element.io, is an Internet-based messenger application that provides voice, video, and messaging capabilities on a computer or mobile device.

² Omegle is an Internet-based website that allows users to anonymously chat with strangers through video or text.

account provided by Minor 1 and confirmed that the male's profile picture in the TikTok Account matched the unknown male he observed on the Omegle livestream with Minor 1. The tipster also sent screenshots of Minor 1 and the unknown male to law enforcement who confirmed that it was, in fact, Minor 1 in the livestream with her captor. An exigent warrant was served on TikTok and a related Instagram account, and subscriber information registered to ELLIJAH DEANDRE KENNEDY (KENNEDY) including a phone number was returned.

8. A search of public database checks revealed that KENNEDY resided at an apartment in Bristol, Pennsylvania.

9. At approximately 2:44 a.m. on Thursday, April 6, 2023, law enforcement recovered Minor 1 during a vehicle stop of a Blue Mitsubishi Outlander bearing a Pennsylvania tag turning into the parking lot of KENNEDY's apartment complex in Bristol. KENNEDY was driving the vehicle and Minor 1 was in the passenger seat. Law enforcement also recovered a black handgun, KENNEDY's Apple iPhone and Amazon Fire tablet, and an iPhone being used by Minor 1 that Minor 1 reported KENNEDY gave to her.

10. KENNEDY was arrested outside of his vehicle on an outstanding Davidson County, North Carolina arrest warrant, charging KENNEDY with one count of abduction of children, in violation of state code offense 1023, and one count of felonious restraint, in violation of state code offense 1030. Minor 1 was transported by FBI Agents to Abington Memorial Hospital for evaluation and treatment. Minor 1 underwent a sexual assault forensic examination ("SAFE" exam) during which a rape kit was collected.

11. After being recovered by law enforcement, Minor 1 reported that she met KENNEDY on Omegle approximately one month ago. KENNEDY then provided Minor 1 with

log-in and password information for a website that she had never heard of called Element.

Minor 1 then began communicating with KENNEDY on Element. Minor 1 reported that while communicating with KENNEDY on Element, he requested nude photos from her, but she said she did not send any to him. Minor 1 stated that KENNEDY picked her up at her home in North Carolina the previous Tuesday (March 29, 2023) at approximately 5:00 p.m. and the two drove straight through to KENNEDY's residence in Bristol, Pennsylvania after a brief stop along the way. KENNEDY showed Minor 1 a gun that was under his driver's seat after she entered his vehicle. Upon arriving at KENNEDY's residence, he threatened to shoot Minor 1 with his gun if she tried to run away. Minor 1 was held for the duration of her time with KENNEDY inside KENNEDY's residence in Bristol, with the exception of a "date" to the movies in Center City Philadelphia, one trip out for pizza, a trip to the Art Museum area, and a coffee run one night during which Minor 1 did not exit the vehicle. Minor 1 stated that no one else was staying at the residence while she was there with KENNEDY.

12. KENNEDY purchased an Apple iPhone for Minor 1 to use once they arrived in Pennsylvania. KENNEDY told Minor 1 that he purchased the phone on the dark web so that the phone could not be tracked. Minor 1 utilized the phone one day when KENNEDY was out of the apartment doing laundry to call her mom. Minor 1 was encouraged to just walk out and leave the apartment or to take photographs of street signs, but she was too afraid to leave because KENNEDY had threatened to kill her if she tried to leave. KENNEDY also told Minor 1 that he would always know what she was doing because he had cameras set up in the apartment.

13. Minor 1 reported that during one of the days that she was being held captive by KENNEDY, KENNEDY made her take naked photographs of herself, fully displaying her

breasts and genital areas. KENNEDY told Minor 1 what poses to assume for the photographs. KENNEDY instructed Minor 1 to take the photographs on the Apple iPhone that he had purchased for her. After Minor 1 took the photographs KENNEDY requested, KENNEDY used the Apple iPhone and sent the photographs to a friend using the Snapchat Application.

14. KENNEDY told Minor 1 that starting “tomorrow” (meaning Thursday, April 6, 2023), she was no longer going to have contact with anyone outside of the apartment and she would no longer have access to emails or to anyone other than him. KENNEDY told Minor 1 that they would be doing “special stuff” that would be “quite exciting” for him the following night.

15. On Thursday, April 6, 2023, the Honorable Scott W. Reid, United States Magistrate Judge, authorized a search warrant for KENNEDY’s apartment residence in Bristol, Pennsylvania. Law enforcement executed the search warrant that evening. Among other items, law enforcement recovered the following: a used condom from the floor near the bed, pink handcuffs from the bed, a pink vibrator on the main table, a used pregnancy test from inside a trashcan, several electronic devices, and some of Minor 1’s belongings. Law enforcement also observed and photographed an empty box for Plan B (“the morning after pill”) inside the same trashcan from which they recovered the used pregnancy test.

16. On Friday, April 7, 2023, Minor 1 was interviewed by an FBI Child Adolescent Forensic Interviewer (“CAFI”). During the interview, Minor 1 confirmed her initial statements to federal agents. Minor 1 claimed that she did not remember having sexual contact with KENNEDY.

17. Minor 1 also provided additional details with regards to the sexually explicit

photographs that KENNEDY instructed her to take on the iPhone that he provided to her. Minor 1 stated that she took the photos of herself naked at the direction of KENNEDY in the bathroom and in the bedroom of KENNEDY's apartment. Minor 1 reported that KENNEDY made Minor 1 take five different poses to include poses of Minor 1 naked with her butt up in the air, one with her laying down on her back focused on her vagina area, and several with her whole naked body including her face. Minor 1 reported that the "photo shoot" lasted approximately 30 to 60 minutes. After each pose, Minor 1 was required to show the photo to KENNEDY. If KENNEDY approved it, KENNEDY then sent the photo of Minor 1 to himself and to his friend on Snapchat. If KENNEDY did not approve, KENNEDY would delete it and make Minor 1 retake the photo.

18. Minor 1 also reported that KENNEDY purchased a razor for her to use so that she could shave her entire pubic area. While shaving, since she had never done that before, she cut herself in several places. As a result, KENNEDY used different filters on the photos that Minor 1 produced for him to cover up the cuts near Minor 1's vagina. Even though Minor 1 felt "weirded out" taking the naked photographs of herself at KENNEDY's direction, Minor 1 said she never told KENNEDY because she was afraid of him and did not want to get hurt.

19. Minor 1 also reported that KENNEDY asked Minor 1 if she had ever heard of the website, "Alice in Wonderland." When Minor 1 responded in the negative, KENNEDY told Minor 1 that it was a website for "dirty people." Minor 1 stated that KENNEDY logged onto a large black computer that he kept in his bedroom and entered many different passwords in order to access the Alice in Wonderland website. KENNEDY then showed Minor 1 a large collection of child pornography that KENNEDY kept on the large black laptop computer, which included

rape, animal, and sibling related pornography. Minor 1 stated that KENNEDY's creator name was "mygirlmygirl," and KENNEDY told Minor 1 that he is a big creator of child pornography on that website.

20. During the CAFI interview, Minor 1 also disclosed that on the drive up from North Carolina, KENNEDY and Minor 1 stopped approximately four to five hours into the trip. KENNEDY directed Minor 1 to take her school laptop which she had brought with her and go into the bathroom at a gas station where they had stopped and break it. Minor 1 followed KENNEDY's instructions and broke it in half and then brought it out of the bathroom and provided it to KENNEDY, who threw it in a dumpster.

21. On Tuesday, April 11, 2023, the Honorable Pamela A. Carlos, United States Magistrate Judge, authorized a search warrant for three devices that were recovered upon the arrest of KENNEDY and the recovery of Minor 1 in Bristol, Pennsylvania.

22. A preview of the Apple iPhone purchased by KENNEDY for Minor 1 to use was performed after the search warrant was secured. Agents observed one days-worth of chats in the Snapchat application on Minor 1's phone. Agents observed approximately five naked photographs of Minor 1 sent from the Snapchat account on the iPhone to another Snapchat user. These photos displayed all areas of Minor 1's body to include her breasts, anus, and vaginal areas. Additionally, in one of the exchanges the other user stated, "send nudes." In another part of the chat after a call was made, the Snapchat account user on the iPhone told the other user, "BRO IM HAVING SEX PLS LEAVE ME ALONE." Agents observed many photos in the chat that were marked as "opened," but nothing was visible on the device any longer.

CONCLUSION

23. Based on the information above, I respectfully submit that there is probable cause to believe that ELLIJAH DEANDRE KENNEDY committed violations of 18 U.S.C. § 1201(a) (Kidnapping), 18 U.S.C. § 2423(a) (Transportation of a minor to engage in criminal sexual activity), and 18 U.S.C. § 2251(a) (Manufacture and attempted manufacture of child pornography) between on or about March 29, 2023 and April 6, 2023, in connection with Minor 1.

24. Therefore, I respectfully request that the attached form of criminal complaint be issued with respect to ELLIJAH DEANDRE KENNEDY.

/s/ Jennifer Zenszer

Jennifer Zenszer

Special Agent

Federal Bureau of Investigation

Sworn to me this 17th
day of April 2023.

/s/ Honorable Craig M. Straw

HONORABLE CRAIG M. STRAW

United States Magistrate Judge

ATTACHMENT A

Count One -- Kidnapping, 18 U.S.C. § 1201(a)

Between on or about March 29, 2023 and April 6, 2023, in the Eastern District of Pennsylvania and elsewhere, the defendant, ELLIJAH DEANDRE KENNEDY, unlawfully seized, confined, inveigled, decoyed, kidnapped, abducted, or carried away and held for ransom or reward or otherwise Minor 1, and, in committing or in furtherance of the commission of the offense, traveled in interstate commerce and used a means, facility, or instrumentality of interstate commerce.

Count Two – Transportation of a minor to engage in criminal sexual activity, 18 U.S.C. § 2423(a)

On or about March 29, 2023, in the Eastern District of Pennsylvania and elsewhere, the defendant, ELLIJAH DEANDRE KENNEDY, knowingly transported Minor 1, who had not attained the age of 18 years, in interstate commerce, with the intent that Minor 1 engage in sexual activity for which any person can be charged with a criminal offense, namely, manufacturing child pornography under 18 U.S.C. § 2251(a) and statutory sexual assault under Pa.C.S. § 3122.1(b).

Count Three – Manufacture, attempted manufacture, and willfully causing the manufacture of child pornography, 18 U.S.C. §§ 2251(a) and 2

On or about April 5, 2023, in the Eastern District of Pennsylvania, the defendant, ELLIJAH DEANDRE KENNEDY, employed, used, persuaded, induced, enticed and coerced Minor 1, who had not attained the age of 18 years, to engage in sexually explicit conduct for the purpose of producing a visual depiction of that conduct, and attempted to do so, that is, by willfully causing Minor 1 to photograph herself engaging in sexually explicit conduct using materials that had been mailed and shipped and transported in and affecting interstate and foreign commerce, and defendant KENNEDY knew and had reason to know that the visual depiction would be transported and transmitted using a facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, that is, the Internet.